

**From:** [Williams, Jonathan](#)  
**To:** [Kelly Wright](#)  
**Cc:** [Sheldrake, Beth](#); [Fleming, Sheila](#); [McLerran, Dennis](#); [Woods, Jim](#); [FHBC](#); [Tony Galloway](#); [Ladd R. Edmo](#); [Casper Appenay](#); [Angelo Gonzales](#); [Arnold Appeney](#); **Exemption**; [Virginia Monsisco](#); [Jill Grant](#) ([jgrant@jillgrantlaw.com](mailto:jgrant@jillgrantlaw.com)); [Bill Bacon](#); [McDonnell, Kimberlee](#)  
**Subject:** RE: Removal of Concrete slab in RA-G  
**Date:** Wednesday, March 23, 2016 5:08:52 PM  
**Attachments:** [image004.png](#)

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Kelly:

I left you a voicemail message earlier this afternoon. I would like to visit with you over the telephone about the RA-G North cement slab FMC intends to remove when you're available.

As you know, I responded to FMC's e-mail request for removal of the cement slab within RA-G North after first contacting the FMC project manager by telephone earlier this afternoon. FMC has directed KW to halt work, and will be providing EPA with an updated e-mail request for approval.

I agree with your point that the cement slab should have been identified earlier by FMC. That information would have been appropriate for FMC to include within the RA-G North remedial action construction documents resubmitted March 11, 2016 and at least been identified prior to the RA-G remedial action pre-construction meeting March 17, 2016.

Your suggestion that EPA meet with the Ft. Hall Business Council is beyond the scope of a project management e-mail about RA-G North remedial action construction. I suggest that you, me, and Beth Sheldrake discuss that suggestion and other matters over the telephone at your earliest convenience. Please let me know what dates/times this week would be workable for you. Thanks.

Jonathan Williams, LHG  
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**From:** Kelly Wright [<mailto:kwright@sbtribes.com>]  
**Sent:** Wednesday, March 23, 2016 12:28 PM  
**To:** Williams, Jonathan <[Williams.Jonathan@epa.gov](mailto:Williams.Jonathan@epa.gov)>  
**Cc:** Sheldrake, Beth <[sheldrake.beth@epa.gov](mailto:sheldrake.beth@epa.gov)>; Fleming, Sheila <[fleming.sheila@epa.gov](mailto:fleming.sheila@epa.gov)>; McLerran, Dennis <[mclerran.dennis@epa.gov](mailto:mclerran.dennis@epa.gov)>; Woods, Jim <[Woods.Jim@epa.gov](mailto:Woods.Jim@epa.gov)>; FHBC <[FHBC@sbtribes.com](mailto:FHBC@sbtribes.com)>; Tony Galloway <[tgalloway@sbtribes.com](mailto:tgalloway@sbtribes.com)>; Ladd R. Edmo <[lredmo@sbtribes.com](mailto:lredmo@sbtribes.com)>; Casper Appenay <[cappenay@sbtribes.com](mailto:cappenay@sbtribes.com)>; Angelo Gonzales <[agonzales@sbtribes.com](mailto:agonzales@sbtribes.com)>; Arnold Appeney <[aappeney@sbtribes.com](mailto:aappeney@sbtribes.com)>; [susanh@ida.net](mailto:susanh@ida.net); Virginia Monsisco <[vmonsisco@sbtribes.com](mailto:vmonsisco@sbtribes.com)>; Jill Grant ([jgrant@jillgrantlaw.com](mailto:jgrant@jillgrantlaw.com)) <[jgrant@jillgrantlaw.com](mailto:jgrant@jillgrantlaw.com)>; Bill Bacon <[bbacon@sbtribes.com](mailto:bbacon@sbtribes.com)>

**Subject:** FW: Removal of Concrete slab in RA-G

Jonathan, this was not considered in the original activities or if it would have been considered, it would already have been done. Removal of this concrete slab could pose additional exposure to unknown chemicals. The original identification implemented at this site was to distinguish the extent of elemental phosphorus contamination where capping would be. FMC should have clearly known that this slab existed, they placed it out there to begin with so if they truly knew that they were redeveloping this area, it would have been specifically spelled out.

Debris was not considered to be dumped onto the site especially the Reservation. Most of the waste was to be shipped off site not be moved from one location to another.

When is EPA going to sit down with the Fort Hall Business Council to explain their protocol for placing a higher emphasis on redevelopment rather than cleanup. We all agree that it would be an ideal situation to redevelop this site once it was cleaned up. Contamination from this site continues to jeopardize tribal resources.

Last week after a meeting for preconstruction, you told the Tribal contractor that the Tribes are a Support Agency. Your concept is misconstrued. You are working on cleaning up a contaminated site located within the Fort Hall Reservation which is a Sovereign Nation not a State. You need to be more respectful of our culture and stress the importance with industry of open lines of communication and include the Tribes in all communication efforts not after the fact.

Turnaround times were also brought up that the Tribes would not be able to get reviews done in 1 to 3 days depending upon the size of document being reviewed, your response was to hire more contractors. Resources are already difficult to come by and you need to understand that EWMP's role is to ensure protection of Tribal resources and have a meaningful participation in this process, not just a Support Agency.

Granted, EPA is supposed to be an enforcement agency for the federal government but you also have a TRUST RESPONSIBILITY for ensuring protection of our resources and human health. We are requesting:

- Revised work plan or an addendum for characterization under the slab
- Government to Government consultant with Dennis McLerran
- Verbal notification or written communications from EPA when amendments occur.

Kelly C. Wright  
EWMP Manager  
Shoshone Bannock Tribes

**From:** Marguerite Carpenter [<mailto:MARGUERITE.CARPENTER@fmc.com>]

**Sent:** Wednesday, March 23, 2016 8:17 AM

**To:** Bruce Olenick ([bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov)) <[bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov)>; Doug Tanner <[Douglas.Tanner@deq.idaho.gov](mailto:Douglas.Tanner@deq.idaho.gov)>; Susan Hanson <[Exemption 6](#)>; Jonathan Williams ([Williams.jonathan@Epamail.epa.gov](mailto:Williams.jonathan@Epamail.epa.gov)) <[Williams.jonathan@Epamail.epa.gov](mailto:Williams.jonathan@Epamail.epa.gov)>; Kelly Wright <[kwright@sbtribes.com](mailto:kwright@sbtribes.com)>; Michele Benchouk <[Exemption 6](#)>; Scott Miller

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**Subject:** Removal of Concrete slab in RA-G

Jonathan

As discussed today in our phone call, on Friday last week, Valley Agronomics and Envirocon discovered an approximately 75X100 ft concrete slab in RA-G that would impede the placement of the warehouse. As this would have been part of the EPA approved site wide grading and clearance activities, we agreed to having KW start the removal activity for the concrete slab tomorrow. The debris from the slab will be placed in the RA-F valley.

Best Regards.

Marjo

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